

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

Document # 7

Glisson

-v-

Smooth Magazine

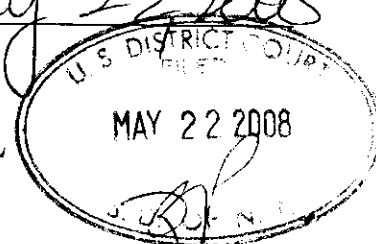
U.S.C.A. # _____

U.S.D.C. # 08-cv-3244

JUDGE: KMW

DATE: May 22, 2008

INDEX TO THE RECORD ON APPEAL



PREPARED BY (NAME): THOMAS R. PISARCZYK
FIRM: U.S. DISTRICT COURT - SOUTHERN DISTRICT OF NEW YORK
ADDRESS: 500 PEARL STREET, ROOM 370
NEW YORK, NEW YORK 10007
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DISTRICT COURT DOCKET ENTRIES -----

| DOCUMENT DESCRIPTION | DOC. # |
|---|--------|
| CLERK'S CERTIFICATE | |
| SEE ATTACHED LIST OF NUMBERED DOCUMENTS | |
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☒ Original Record

☐ Supplemental Record

The record in the above entitled case was indexed to the U.S.C.A.
for the Second Circuit on the 22nd Day of May, 2008.

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

Grison

-v-

Smooth Magazine

U.S.C.A. # _____

U.S.D.C. #

08cv3244

JUDGE:

KMW

DATE:

May 22, 2008

Clerk's Certificate

I, J. Michael McMahon, Clerk of the Court of the United States District Court for the Southern District of New York, do hereby certify that the certified copy of the docket entries and the original filed papers numbered 1 Through 6, inclusive, constitutes the Original record on appeal in the above entitled proceedings except for the following missing documents:

Date Filed

Document Description

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In Testimony Whereof, I have caused the seal of said Court to be hereunto affixed, at the City of New York, this 22ND Day of MAY In this year of our Lord, Two Thousand and Eight, and the Independence of the United States this 232ND year.

J. Michael McMahon, Clerk

By

[Signature]
Deputy Clerk

APPEAL, CLOSED, PRO-SE

U.S. District Court
United States District Court for the Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:08-cv-03244-KMW
Internal Use Only

Grissom v. Smooth Magazine et al
Assigned to: Judge Kimba M. Wood
Cause: 42:1983 Civil Rights Act

Date Filed: 04/01/2008
Date Terminated: 04/01/2008
Jury Demand: None
Nature of Suit: 550 Prisoner: Civil Rights
Jurisdiction: Federal Question

| Date Filed | # | Docket Text |
|------------|---|--|
| 04/01/2008 | 1 | DECLARATION IN SUPPORT OF REQUEST TO PROCEED IN FORMA PAUPERIS. Document filed by Leverett Grissom.(mbe) (Entered: 04/14/2008) |
| 04/01/2008 | 2 | COMPLAINT against Smooth Magazine, Sandra Vasceannie, Robert S. Acquaye, Sophia Powell, Dede Savirak. Document filed by Leverett Grissom.(mbe) (Entered: 04/14/2008) |
| 04/01/2008 | | Magistrate Judge Douglas F. Eaton is so designated. (mbe) (Entered: 04/14/2008) |
| 04/01/2008 | 3 | Application for Court to Request Counsel. Document filed by Leverett Grissom.(mbe) (Entered: 04/14/2008) |
| 04/01/2008 | 4 | ORDER OF DISMISSAL. Plaintiff presently incarcerated in the California Men's Colony in San Luis Obispo, California, brings the instant action pro se pursuant to 42 U.S.C.1983. Plaintiff alleges that the Smooth Girl magazine company cashed his check in the amount of \$17.90 but did not send him two magazines that he had ordered. Plaintiff's request to proceed in forma pauperis is granted but, for the following reasons set forth below, plaintiff's complaint is dismissed and the application for appointment of counsel is denied as moot. Accordingly, as plaintiff's complaint, reveals no basis for the exercise of the subject matter jurisdiction over plaintiff's suit, the complaint is dismissed. The Court certifies pursuant to 28 U.S.C. 1915(a)(3) that any appeal from this order would not be taken in good faith. So ORDERED. (Signed by Judge Kimba M. Wood on 4/1/2008) (mbe) (Entered: 04/14/2008) |
| 04/01/2008 | 5 | JUDGMENT. Ordered, Adjudged and Decreed: That the complaint be and is hereby dismissed. 28 U.S.C. 1915(e)(2). We certify pursuant to 28 U.S.C. 1915(a)(3) that any appeal from the Court's order will not be taken in good faith. (Signed by Judge Kimba M. Wood on 4/1/2008) (mbe) (Entered: 04/14/2008) |
| 05/13/2008 | 6 | NOTICE OF APPEAL from 5 Judgment - Sua Sponte (Complaint). Document filed by Leverett Grissom. (tp) (Entered: 05/20/2008) |
| 05/13/2008 | | Appeal Remark as to 6 Notice of Appeal filed by Leverett Grissom. \$455.00 APPEAL FEE DUE. IFP REVOKED 4/1/08. (tp) (Entered: 05/20/2008) |
| 05/20/2008 | | Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: 6 Notice of Appeal. (tp) (Entered: 05/20/2008) |
| 05/20/2008 | | Transmission of Notice of Appeal to the District Judge re: 6 Notice of Appeal. (tp) (Entered: 05/20/2008) |